

**§ 15.1030 New York and New Jersey.**

The following U.S. navigable waters located within the States of New York and New Jersey when the vessel is making an intra-port transit, to include, but not limited to, a movement from a dock to a dock, from a dock to an anchorage, from an anchorage to a dock, or from an anchorage to an anchorage, within the following listed operating areas:

- (a) East River from Execution Rocks to New York Harbor, Upper Bay;
- (b) Hudson River from Yonkers, New York to New York Harbor, Upper Bay;
- (c) Raritan River from Grossman Dock/Arsenal to New York Harbor, Lower Bay;
- (d) Arthur Kill Channel;
- (e) Kill Van Kull Channel;
- (f) Newark Bay;
- (g) Passaic River from Point No Point to Newark Bay;
- (h) Hackensack River from the turning basin to Newark Bay; and
- (i) New York Harbor, Upper and Lower Bay.

**§ 15.1040 Massachusetts.**

The following U.S. navigable waters located within the State of Massachusetts when the vessel is in transit, but not bound to or departing from a port within the following listed operating areas:

- (a) Cape Cod Bay south of latitude 41°48'54"N;
- (b) The Cape Cod Canal; and
- (c) Buzzards Bay east of a line extending from the southernmost point of Wilbur Point (latitude 41°34'55"N longitude 70°51'15"W) to the easternmost point of Pasque Island (latitude 41°26'55"N longitude 70°50'30"W).

[CGD 92-061, 60 FR 24796, May 10, 1995, as amended by USCG-1998-4442, 63 FR 52189, Sept. 10, 1998]

**Subpart J—Vessels Subject to Requirements of STCW**

SOURCE: CGD 95-062, 62 FR 34539, June 26, 1997, unless otherwise noted.

**§ 15.1101 General.**

- (a) *Definitions.* For purposes of this subpart, the term—

(1) *STCW* means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995;

(2) *STCW Code* means the Seafarer's Training, Certification and Watchkeeping Code;

(3) *Seagoing vessel* means a self-propelled vessel in commercial service that operates beyond the Boundary Line established by 46 CFR part 7. It does not include a vessel that navigates exclusively on inland waters;

(4) *Rest* means a period of time during which the person concerned is off duty, is not performing work (which includes administrative tasks such as chart corrections or preparation of port-entry documents), and is allowed to sleep without being interrupted; and

(5) *Overriding operational conditions* means circumstances in which essential shipboard work cannot be delayed for safety or environmental reasons, or could not reasonably have been anticipated at the commencement of the voyage.

(b) Except as otherwise provided in § 15.1103(d), the regulations in this subpart apply to seagoing vessels subject to STCW.

(c) A vessel that has on board a valid Safety Management Certificate and a copy of a Document of Compliance issued for that vessel in accordance with 46 U.S.C. 3205 is presumed in compliance with the regulations in this subpart.

**§ 15.1103 Employment and service within restrictions of license, document, and STCW endorsement.**

(a) On board a seagoing vessel operating beyond the Boundary Line, no person may employ or engage any person to serve, and no person may serve, in a position requiring a person to hold an STCW endorsement, including master, chief mate, chief engineer, second engineer, officer of the navigational or engineering watch, or radio operator, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 10 or 12 of this chapter.

(b) On board a seagoing vessel of 500 GT or more, no person may employ or engage any person to serve, and no person may serve, as a rating forming part

of the navigational watch, except for training, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 12 of this chapter.

(c) After January 31, 2002, on board a seagoing vessel driven by main propulsion machinery of 750 kW [1,000 hp] propulsion power or more, no person may employ or engage any person to serve, and no person may serve, in a rating forming part of a watch in a manned engine-room, nor may any person be designated to perform duties in a periodically unmanned engine-room, except for training or for the performance of duties of an unskilled nature, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 12 of this chapter.

(d) After January 31, 1997, no person may either be engaged or employed to serve on board a roll-on/roll-off (Ro-Ro) passenger ship to which a certificate signifying compliance with the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS), has been issued, or perform duties on board such a ship, unless he or she holds documentary evidence to show he or she meets the requirements of § 10.1005 or § 12.30-5 of this chapter, whichever is appropriate to the service or the duties.

(e) After January 31, 2002, on board a seagoing vessel required to comply with provisions of the Global Maritime Distress and Safety System (GMDSS) in Chapter IV of SOLAS, no person may employ or engage any person to serve, and no person may serve, as the master, chief mate, or officer of the navigational watch, unless the person serving holds the appropriate certificate for operator of radio in GMDSS.

(f) After January 31, 1999, on board a seagoing vessel required to comply with provisions of the GMDSS in Chapter IV of SOLAS, no person may employ or engage any person to serve, and no person may serve, as the person designated to perform at-sea maintenance of GMDSS installations, when such designation is used to meet the maintenance requirements of SOLAS Regulation IV/15, which allows for capability of at-sea electronic maintenance to ensure that radio equipment is available

for radio communication, unless the person serving holds documentary evidence that he or she is competent to maintain GMDSS equipment.

(g) After January 31, 2002, on board a seagoing vessel fitted with an Automatic Radar-Plotting Aid (ARPA), no person may employ or engage any person to serve, and no person may serve, as the master, chief mate, or officer of the navigational watch, unless the person serving has been trained in the use of ARPA in accordance with § 10.205 or § 10.209 of this chapter.

#### **§ 15.1105 Familiarization and basic safety-training.**

(a) After January 31, 1997, on board a seagoing vessel, no person may assign any person to perform shipboard duties, and no person may perform those duties, unless the person performing them has received—

(1) Training in personal survival techniques as set out in the standard of competence under STCW Regulation VI/1; or

(2) Sufficient familiarization training or instruction that he or she—

(i) Can communicate with other persons on board about elementary safety matters and understand informational symbols, signs, and alarm signals concerning safety;

(ii) Knows what to do if a person falls overboard; if fire or smoke is detected; or if the firm alarm or abandon-ship alarm sounds;

(iii) Can identify stations for muster and embarkation, and emergency-escape routes;

(iv) Can locate and don life-jackets;

(v) Can raise the alarm and knows the use of portable fire extinguishers;

(vi) Can take immediate action upon encountering an accident or other medical emergency before seeking further medical assistance on board; and

(vii) Can close and open the fire doors, weather-tight doors, and watertight doors fitted in the vessel other than those for hull openings.

(b) After January 31, 1997, on board a seagoing vessel, no person may assign a shipboard duty or responsibility to any person who is serving in a position that must be filled as part of the required crew complement, and no person may